

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

United States of America

v.

Civil No. 11-cv-037-JD

One 2008 Steel Gray Infiniti G37 Coupe

O R D E R

The government moves to strike the claim filed by Derrick Luna in this forfeiture case because Luna failed to file his answer as required by Supplemental Rule G(5)(b) for Certain Maritime and Admiralty and Asset Forfeiture Actions. In response, Luna filed his answer on May 9, 2011. With his answer, Luna filed a letter, explaining that he had intended to file his answer with his claim but later realized the answer was sent to the United States Attorney's office but not to the Clerk of Court.

In light of Luna's explanation and because the answer is now filed, no grounds remain to strike his claim.

Conclusion

For the foregoing reasons, the plaintiff's motion to strike (document no. 15) is denied.

SO ORDERED.



Joseph A. DiClerico, Jr.
United States District Judge

June 1, 2011

cc: Derrick Luna, pro se
Jay M. Niederman, Esquire
Robert J. Rabuck, Esquire